

CLOSED, LEAD

**U.S. District Court
District of Delaware (Wilmington)
CIVIL DOCKET FOR CASE #: 1:04-cv-00180-KAJ
Internal Use Only**

iGames Entertainment v. Chex Services, Inc., et al
Assigned to: Honorable Kent A. Jordan
Demand: \$75,000
Cause: 28:1332 Diversity-Breach of Contract

Date Filed: 03/24/2004
Jury Demand: Both
Nature of Suit: 190 Contract: Other
Jurisdiction: Diversity

Plaintiff

iGames Entertainment, Inc.

represented by **Thomas P. McGonigle**
Wolf, Block, Schorr & Solis-Cohen
Wilmington Trust Center
1100 North Market Street, Suite 1001
Wilmington, DE 19801
(302) 777-6374
Fax: (302) 778-7834
Email: tmcgonigle@wolfblock.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Matt Neiderman
Duane Morris LLP
1100 North Market Street
Suite 1200
Wilmington, DE 19801
(302) 657-4900
Email: mneiderman@duanemorris.com
ATTORNEY TO BE NOTICED

V.

Defendant

Chex Services, Inc.

represented by **James W. Semple**
Morris, James, Hitchens & Williams
222 Delaware Ave.
P.O. Box 2306
Wilmington, DE 19899
(302) 888-6800
Email: jsemple@morrisjames.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James Edward Drnec
Bifferato Gentilotti Biden & Balick

1308 Delaware Avenue
P.O. Box 2165
Wilmington, DE 19899
(302) 429-1900
Fax: (302) 429-8600
Email: jdrnec@bgbbllaw.com
ATTORNEY TO BE NOTICED

Defendant

Equitex, Inc.

represented by **James W. Semple**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James Edward Drnec
(See above for address)
ATTORNEY TO BE NOTICED

Counter Claimant

Chex Services, Inc.

represented by **James W. Semple**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Counter Claimant

Equitex, Inc.

represented by **James W. Semple**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Counter Defendant

iGames Entertainment, Inc.

represented by **Thomas P. McGonigle**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Matt Neiderman
(See above for address)
ATTORNEY TO BE NOTICED

Counter Claimant

Chex Services, Inc.

represented by **James W. Semple**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Counter Claimant

Equitex, Inc.

represented by **James W. Semple**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Counter Defendant**iGames Entertainment, Inc.**













represented by **Thomas P. McGonigle**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED











Matt Neiderman
 (See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/24/2004	1	COMPLAINT filed. Magistrate Consent Notice to Pltf. FILING FEE \$ 150.00 RECEIPT # 135913 (bkb) (Entered: 03/24/2004)
03/24/2004		SUMMONS(ES) issued for Chex Services, Inc.; No summons issued for Equitex, Inc. (bkb) Modified on 03/24/2004 (Entered: 03/24/2004)
03/25/2004	2	RETURN OF SERVICE executed as to Equitex, Inc. 3/24/04 Answer due on 4/13/04 for Equitex, Inc. (dab) (Entered: 03/26/2004)
03/29/2004	3	RETURN OF SERVICE executed as to Chex Services, Inc. 3/25/04 Answer due on 4/14/04 for Chex Services, Inc. (dab) (Entered: 03/30/2004)
03/31/2004	4	CASE assigned to Judge Kent A. Jordan . Notice to all parties. (rjb) (Entered: 03/31/2004)
04/13/2004	5	ANSWER to complaint and COUNTERCLAIM by Chex Services, Inc., Equitex, Inc., against iGames Entertainment; (Attorney James W. Semple added). (rwc) (Entered: 04/14/2004)
04/15/2004	6	Letter dated 4/15/04 by Judge Jordan to parties enclosing a scheduling order form and requesting the parties contact the Court w/in 10-days to schedule a teleconference. (rwc) (Entered: 04/15/2004)
04/21/2004	7	ANSWER AND AFFIRMATIVE DEFENSES filed by iGames Entertainment to [5-2] Counterclaim (rwc) (Entered: 04/21/2004)
04/21/2004	8	MOTION by iGames Entertainment with Proposed Order for Matthew A. Taylor to Appear Pro Hac Vice re: [8-1] motion (rwc) (Entered: 04/21/2004)
04/21/2004	9	MOTION by iGames Entertainment with Proposed Order for James W. Hess to Appear Pro Hac Vice re: [9-1] motion (rwc) (Entered: 04/21/2004)

		to all parties. (rwc) (Entered: 12/14/2004)
12/16/2004	75	Letter dated 12/16/04 to Judge Jordan by James M. Semple, Esq., Re: Supplement to Status Report. Two additional issues regarding possible discovery dispute. (rwc) (Entered: 12/16/2004)
12/16/2004	76	Notice of Deficiency from the court to James M. Semple, Esq., Re: L.R. 5.2(b) - copy of DI#75 not provided to Clerk. (rwc) (Entered: 12/16/2004)
12/16/2004		Status teleconference held before Judge Jordan. (Ct Rptr B. Gaffigan.) (rwc) (Entered: 12/17/2004)
12/17/2004	77	Steno Notes for 12/16/04 filed by Ct Rptr B. Gaffigan. (rwc) (Entered: 12/17/2004)
12/17/2004	78	NOTICE by iGames Entertainment to take deposition of Henry Fong on 12/23/04 at 10:00 (rwc) (Entered: 12/20/2004)
12/17/2004	79	NOTICE by iGames Entertainment to take deposition of Ijaz Anwar on 12/15/04 at 10:00 (rwc) (Entered: 12/20/2004)
12/17/2004	80	NOTICE by iGames Entertainment to take deposition of Deanna Moose on 12/28/04 at 9:00 (rwc) (Entered: 12/20/2004)
12/17/2004	81	NOTICE by iGames Entertainment to take deposition of George Connors on 12/29/04 at 9:00 (rwc) (Entered: 12/20/2004)
12/17/2004	82	NOTICE by iGames Entertainment to take deposition of Arnold Keuning on 12/28/04 at 10:30 (rwc) (Entered: 12/20/2004)
12/28/2004	83	STIPULATION with proposed order extending discovery deadlines: Expert disclosures to 1/26/05; Rebuttal disclosures to 2/11/05; Expert Depositions completed by 3/1/05. (rwc) (Entered: 12/28/2004)
01/04/2005		So Ordered granting [83-1] stipulation (signed by Judge Kent A. Jordan) Notice to all parties. (rwc) (Entered: 01/04/2005)
02/02/2005	84	MOTION by Chex Services, Inc. with Proposed Order for Summary Judgment on its Breach of Contract Claim Against iGames Entertainment, Inc. Answer Brief due 2/16/05 re: [84-1] Motion - (SEALED) (rwc) Modified on 02/03/2005 (Entered: 02/03/2005)
02/02/2005	85	Opening Brief Filed by Chex Services, Inc., in support of [84-1] motion for Summary Judgment on its Breach of Contract Claim Against iGames Entertainment, Inc. - Answer Brief due 2/16/05 - (SEALED) (rwc) (Entered: 02/03/2005)
02/02/2005	86	MOTION by Chex Services, Inc., Equitex, Inc. with Proposed Order for Summary Judgment on all Claims Asserted by iGames Entertainment, Inc. Answer Brief due 2/16/05 re: [86-1] motion - (SEALED) (rwc) (Entered: 02/03/2005)
02/02/2005	87	Opening Brief Filed by Chex Services, Inc., Equitex, Inc., in support of [86-1] motion for Summary Judgment on all Claims Asserted by iGames

		Entertainment, Inc. - Answer Brief due 2/16/05 - (SEALED) (rwc) (Entered: 02/03/2005)
02/02/2005	88	AFFIDAVIT of Patrick D. Robben (Volume 1) filed by Chex Services, Inc., Equitex, Inc., in support of [86-1] motion for Summary Judgment on all Claims Asserted by iGames Entertainment, Inc. - (SEALED) (rwc) (Entered: 02/03/2005)
02/02/2005	89	AFFIDAVIT of Patrick D. Robben (Volume 2) filed by Chex Services, Inc., Equitex, Inc., in support of [86-1] motion for Summary Judgment on all Claims Asserted by iGames Entertainment, Inc. - (SEALED) (rwc) (Entered: 02/03/2005)
02/09/2005	90	CERTIFICATE OF SERVICE by iGames Entertainment re notice of deposition of James Welbourn. (ntl) (Entered: 02/09/2005)
02/09/2005	91	CERTIFICATE OF SERVICE by iGames Entertainment re notice of deposition of Henry Fong. (ntl) (Entered: 02/09/2005)
02/09/2005	92	CERTIFICATE OF SERVICE by iGames Entertainment re notice of deposition of Ijaz Anwar. (ntl) (Entered: 02/09/2005)
02/10/2005	93	MOTION by iGames Entertainment for summary denial of dfts' motions for summary judgment or alternatively for an order scheduling briefing on dfts' motions in accordance with existing deadlines Answer Brief due 2/24/05 re: [93-1] motion (ntl) (Entered: 02/11/2005)
02/14/2005	94	Letter to Judge Jordan from Thomas McGonigle, Esq. regarding discovery dispute. (ntl,) (Entered: 02/15/2005)
02/14/2005	95	Letter to Judge Jordan from James Semple, Esq. regarding discovery dispute. (ntl,) (Entered: 02/15/2005)
02/15/2005		Minute Entry for proceedings held before Judge Kent A. Jordan : Telephone Conference held on 2/15/2005. (Court Reporter Gaffigan.) (ntl,) (Entered: 02/15/2005)
02/18/2005	96	STENO NOTES of teleconference held on 2/15/05 before Judge Jordan. Court Reporter: B. Gaffigan. (Notes on file in Clerk's Office) (rwc,) (Entered: 02/22/2005)
03/15/2005	97	MOTION for Summary Judgment - filed by iGames Entertainment, Inc., iGames Entertainment, Inc., iGames Entertainment, Inc.. (Attachments: # 1 Certificate of Service)(Neiderman, Matt) (Entered: 03/15/2005)
03/15/2005	98	OPENING BRIEF in Support re 97 MOTION for Summary Judgment filed by iGames Entertainment, Inc., iGames Entertainment, Inc., iGames Entertainment, Inc.. Answering Brief/Response due date per Local Rules is 3/29/2005. (Attachments: # 1 Certificate of Service)(Neiderman, Matt) (Entered: 03/15/2005)
03/15/2005	99	MOTION in Limine <i>To Preclude, IN Part, The Testimony of John Thomas Shopa</i> - filed by iGames Entertainment, Inc., iGames Entertainment, Inc., iGames Entertainment, Inc.. (Attachments: # 1

		Certificate of Service)(Neiderman, Matt) (Entered: 03/15/2005)
03/15/2005	 100	OPENING BRIEF in Support re 99 MOTION in Limine <i>To Preclude, IN Part, The Testimony of John Thomas Shopa</i> filed by iGames Entertainment, Inc., iGames Entertainment, Inc., iGames Entertainment, Inc..Answering Brief/Response due date per Local Rules is 3/29/2005. (Attachments: # 1 Exhibit A through D# 2 Certificate of Service) (Neiderman, Matt) (Entered: 03/15/2005)
03/15/2005	 101	SEALED APPENDIX re 98 Opening Brief in Support, by iGames Entertainment, Inc., iGames Entertainment, Inc., iGames Entertainment, Inc.(Neiderman, Matt) (Entered: 03/15/2005)
03/16/2005	 102	MOTION Exclude expert testimony - filed by Chex Services, Inc., Equitex, Inc.. (Drnec, James) (Entered: 03/16/2005)
03/16/2005	 103	OPENING BRIEF in Support re 102 MOTION Exclude expert testimony filed by Chex Services, Inc., Equitex, Inc..Answering Brief/Response due date per Local Rules is 3/30/2005. (Drnec, James) (Entered: 03/16/2005)
03/16/2005	 104	SEALED AFFIDAVIT of James Drnec re 103 Opening Brief in Support, 102 MOTION Exclude expert testimony filed by Chex Services, Inc., Equitex, Inc.. (Drnec, James) (Entered: 03/16/2005)
03/16/2005		CORRECTING ENTRY: D.I. 101 marked as SEALED DOCUMENT, all attachments removed from the docket (cas,) (Entered: 03/16/2005)
03/17/2005	 105	NOTICE of Service by Chex Services, Inc., Equitex, Inc. (Drnec, James) (Entered: 03/17/2005)
03/21/2005	 106	REDACTED AFFIDAVIT of James E. Drnec, re 103 Opening Brief in Support, {redacting 104 Affidavit}, 102 MOTION Exclude expert testimony filed by Chex Services, Inc., Equitex, Inc. (Drnec, James) Modified on 3/21/2005 (rwc,). (Entered: 03/21/2005)
03/21/2005		CORRECTING ENTRY: added text "REDACTED" to [DI# 106] public version of Affidavit [DI#104]. (rwc,) (Entered: 03/21/2005)
03/22/2005	 107	REDACTED VERSION of 101 Appendix by iGames Entertainment, Inc., iGames Entertainment, Inc., iGames Entertainment, Inc.. (Attachments: # 1 Exhibit A (Part I)# 2 Exhibit A (Part II)# 3 Exhibit B Through E# 4 Exhibit F Through G (Redacted)# 5 Exhibit H Through L# 6 Exhibit M Through O# 7 Exhibit P Through CC (Redacted)# 8 Certificate of Service)(Neiderman, Matt) (Entered: 03/22/2005)
03/28/2005	 108	MEMORANDUM in Opposition re 99 MOTION in Limine <i>To Preclude, IN Part, The Testimony of John Thomas Shopa</i> , 100 Opening Brief in Support, filed by Chex Services, Inc., Equitex, Inc..Reply Brief due date per Local Rules is 4/4/2005. (Drnec, James) (Entered: 03/28/2005)
03/29/2005	 109	ANSWERING BRIEF in Opposition re 97 MOTION for Summary Judgment by <i>IGAMES ENTERTAINMENT, INC.</i> , filed by Chex Services, Inc., Equitex, Inc..Reply Brief due date per Local Rules is 4/5/2005. (Drnec, James) (Entered: 03/29/2005)

03/29/2005	 110	SEALED AFFIDAVIT of Patrick D. Robben re 103 Opening Brief in Support, 104 Affidavit, 109 Answering Brief in Opposition <i>to the Motion for Summary Judgment by IGAMES ENTERTAINMENT, INC.</i> , filed by Chex Services, Inc., Equitex, Inc.. (Drnec, James) (Entered: 03/29/2005)
03/29/2005	 111	ANSWERING BRIEF in Opposition re [84] Motion for Summary Judgment filed by iGames Entertainment, Inc., iGames Entertainment, Inc., iGames Entertainment, Inc..Reply Brief due date per Local Rules is 4/5/2005. (Attachments: # 1 Certificate of Service)(Neiderman, Matt) (Entered: 03/29/2005)
03/29/2005	 112	SEALED APPENDIX re 111 Answering Brief in Opposition, by iGames Entertainment, Inc., iGames Entertainment, Inc., iGames Entertainment, Inc.. (Neiderman, Matt) (Entered: 03/29/2005)
03/29/2005	 113	ANSWERING BRIEF in Opposition re [86] Motion for Summary Judgment filed by iGames Entertainment, Inc., iGames Entertainment, Inc., iGames Entertainment, Inc..Reply Brief due date per Local Rules is 4/5/2005. (Attachments: # 1 Certificate of Service)(Neiderman, Matt) (Entered: 03/29/2005)
03/29/2005	 114	SEALED APPENDIX re 113 Answering Brief in Opposition, by iGames Entertainment, Inc., iGames Entertainment, Inc., iGames Entertainment, Inc.. (Neiderman, Matt) (Entered: 03/29/2005)
03/29/2005	 115	ANSWERING BRIEF in Opposition re 102 MOTION Exclude expert testimony filed by iGames Entertainment, Inc., iGames Entertainment, Inc., iGames Entertainment, Inc..Reply Brief due date per Local Rules is 4/5/2005. (Attachments: # 1 Exhibit A# 2 Certificate of Service) (Neiderman, Matt) (Entered: 03/29/2005)
04/04/2005	 116	Second AFFIDAVIT of Patrick D. Robben re 110 Affidavit, <i>Redacted Public Version</i> filed by Chex Services, Inc., Equitex, Inc.. (Drnec, James) (Entered: 04/04/2005)
04/04/2005	 117	REDACTED VERSION of 111 Answering Brief in Opposition,, 112 Appendix by iGames Entertainment, Inc., iGames Entertainment, Inc., iGames Entertainment, Inc.. (Attachments: # 1 Exhibit A (Part I)# 2 Exhibit A (Part II)# 3 Exhibit B# 4 Exhibit C Through F# 5 Errata G Through L# 6 Exhibit M Through O# 7 Exhibit P Through W# 8 Certificate of Service)(Neiderman, Matt) (Entered: 04/04/2005)
04/04/2005	 118	REDACTED VERSION of 114 Appendix, 113 Answering Brief in Opposition, by iGames Entertainment, Inc., iGames Entertainment, Inc., iGames Entertainment, Inc.. (Attachments: # 1 Exhibit A (Part I)# 2 Exhibit A (Part II)# 3 Exhibit B# 4 Exhibit C Through E# 5 Exhibit F Through G# 6 Exhibit H Through M# 7 Exhibit N Through T# 8 Errata U Through V# 9 Exhibit W Through AA# 10 Exhibit BB (Part I)# 11 Exhibit BB (Part II)# 12 Exhibit CC)(Neiderman, Matt) (Entered: 04/04/2005)
04/04/2005	 119	REPLY BRIEF re 99 MOTION in <i>Limine To Preclude, IN Part, The Testimony of John Thomas Shopa</i> filed by iGames Entertainment, Inc.,